

11 September 1986  
OCA 86-3059

MEMORANDUM FOR: ADGC/ALD/OGC

FROM:

SA/LD/OCA

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SUBJECT: Integrity in Post-Employment Act (S. 2334) Committee Report

1. Attached for your review and comment is a copy of the Senate Judiciary Committee report on S. 2334. Nominally referred to as the "Deaver" bill, this legislation would amend the Ethics in Government Act (18 USC 207) by extending post employment restrictions for certain federal employees.

2. More stops would be placed in the so-called "revolving door" through section 2 of the bill by:

-- Increasing the penalties for willful violations (Sec. 2(a))

-- Forfeiture of proceeds (Sec. 2(b))

-- Repeal of authority to designate within an agency separate and distinct components which would have permitted former employees to contact components in which they did not work. Now the ban will be agency-wide (Sec. 2(c))

-- One year prohibition on all federal government contact by officials at or above GS-16 level from all three branches of government. The current law applies only to Executive Branch officials and only prohibits contact with the specific agency for which they worked. All Government will be prohibited under this bill (Sec. 2(d)). An 18-month prohibition on advocacy contact applies to the top three Executive levels, Congressman and federal judges.

Recent Congressional attention has been focused on former federal officials advising foreign clients by using sensitive knowledge and personal relations acquired during their government tenure. Accordingly, the Judiciary Committee created a time bar or "cooling off" period in which sensitive information will lose its immediate significance. Section 3 of the bill provides:

-- two-year ban on advocacy contact on behalf of foreign entity for former officials paid at GS-16 or above

-- three-year ban for top three Executive levels, Congressman and judges (Sec. 3(c))

-- Additional disclosures in Foreign Agents Registration Act statements

Domestic lobbying disclosure will be enhanced by Section 4 of the bill which provides that a former employee, before engaging in any lobbying, must file with their former agency a registration statement making certain disclosures about their client relationships. Narrow and specific exemptions are provided for in Sections 5 and 6.

The effective date of the law will be six months after enactment (Sec.7). Moreover, the new law applies prospectively. In other words, persons who have left government before the enactment of this bill are governed by the current law.

Since the Senate Judiciary Committee intends to move this bill in the final week of Congress, please give written comment, if necessary, to OCA by 24 September 1986.



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Attachment  
as stated

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